

Arizona Wins Secured by Rep. O'Halleran in H.R. 2

Summary:

- The Moving Forward Act is a \$1.5 trillion plan that rebuilds American infrastructure. This includes traditional infrastructure, like roads, bridges, and transit systems as well as funding for schools, housing, broadband access, and projects that benefit Tribal nations.
- \$300 billion in investment that prioritizes fixing existing infrastructure, including tens of thousands of structurally deficient bridges.
- \$100 billion overall for broadband, including \$85 billion for broadband infrastructure and \$15 billion for device access and affordability.
- Invests \$130 billion targeted towards high-poverty schools through the Reopen and Rebuild America's Schools Act. This invests in schools with facilities that endanger the health and safety of students and educators.
- The Moving Forward Act provides financing support for state and local government investments and spurring private investments through the tax code by permanently reinstating Build America Bonds and Advance Refunding Bonds, and increasing and expanding the issuance of Private Activity Bonds.
- Invests over \$100 billion into our nation's affordable housing infrastructure to create or preserve 1.8 million affordable homes, helping to reduce housing inequality.
- Protects access to safe drinking water by investing over \$25 billion in the Drinking Water State Revolving Fund and other programs to ensure that all communities have clean drinking water.
- Invests \$40 billion in new wastewater infrastructure to encourage efficiency and affordability, and helps communities address stormwater needs, preventing pollution in local rivers.
- Modernizes health care infrastructure by investing \$30 billion to upgrade hospitals to increase capacity and strengthen care, help community health centers respond to COVID-19 and future public health emergencies, improve clinical laboratory infrastructure, support the Indian Health Service's infrastructure, and increase capacity for community-based care.
- Includes funding for school improvements, including need-based grants, and a \$500 million dollar funding increase for Impact Aid Construction over the next four years.
- Includes H.R. 7056, legislation that provides \$2.67 billion for fiscal years 2020 through 2024 for the planning, design, construction, modernization, improvement, and renovation of water, sewer, and solid waste sanitation facilities across Indian Country. This bill is sponsored by Congressman O'Halleran.
- Includes H.R. 5541, the *Tribal Power Act*, legislation that ensures that tribal communities can access affordable, reliable energy sources by reauthorized and increasing funding for the Department of Energy's Indian Energy Education Planning and Management Assistance Program. This bill is sponsored by Congressman O'Halleran.
- Includes the Navajo Utah Water Rights Settlement, Navajo Utah Water Rights Settlement Act would provide access to water and wastewater facilities for the Navajo Nation as well as supply certainty for a water delivery system.

Broadband

- **Infrastructure:** Appropriates **\$80 billion** to the FCC in competitive grant funding for high-quality broadband infrastructure in rural, underserved, and tribal areas. An additional **\$5 billion** is appropriated to FCC for the purposes of low-interest broadband infrastructure financing mechanisms (i.e. loan guarantees, lines of credit) to serve rural, underserved, and tribal areas.
- **Affordability:** Requires the FCC to issue rules to establish a **Broadband Benefit**, which provides a monthly internet service discount of **\$50 per month to eligible households**, or **\$75 per month if a tribal eligible household**. “Eligible household” means at least one member of a household who:
 - (1) has an annual income at or below 135% of the federal poverty line
 - (2) has suffered significant loss of employment for at least two-consecutive months;
 - (3) has applied for and been approved for free/reduced school lunch programs
- **Coordination:** Establishes a dedicated office within the Department of Commerce to coordinate the distribution of federal broadband program funds to maximize their efficiency and effectiveness.
- **Mapping:** Appropriates **\$24 million** to the FCC for the purposes of reforming the broadband coverage maps as prescribed by the Broadband DATA Act (P.L. 116-130).

Energy/Environment

- Includes the Tribal Power Act (in Sec. 33161/H.R. 5541), which:
 - Increases funding for the Department of Energy’s Office of Indian Energy to **\$50 million annually** and **reduces applicable cost-share obligations** for tribal governments under the Office’s energy financing programs.
 - Requires the Department of Energy, in consultation with Indian Tribes to **conduct an assessment on the availability of electricity within Tribal lands and households**.
- Includes the Expanding Access to Sustainable Energy Act (in Sec. 33114/H.R. 4447), which requires the Department of Energy to provide financial and technical assistance to rural electric cooperative and public power utilities to develop and implement energy storage technologies to significantly maximize the utilization of renewable energy.
- Modernizes energy infrastructure by investing more than \$70 billion to rebuild the electric grid to accommodate and expand renewable energy, support energy efficiency, weatherization, and Smart Communities infrastructure.

Tribal Provisions

Sec. 102. Includes \$167,481,814 for tribes in Federal Highway Administration funds.

Sec. 81611—81612. Provides needed funding for the planning, design, construction, modernization, improvement, and renovation of water, sewer, and solid waste sanitation facilities located on tribal land that are listed on the Indian Health Service’s Sanitation Facilities Deficiency List.

Sec. 81101. Reclamation water settlements fund. Extends the Reclamation Water Settlements Fund (Settlements Fund) to meet the Federal government's legal trust obligation to tribal nations. The Settlements Fund provides \$120 million per year to pay for Indian water rights settlements, which fund clean water and wastewater infrastructure across Indian Country.

Sec. 90701. Treatment of Indian Tribes as States with respect to bond issuance (§ 7871). This provision amends rules related to the issuance of tax-exempt debt by Indian tribal governments. It instructs the Secretary to establish and allocate a national bond volume cap for such governments. Indian tribal governments are defined to include governing bodies of tribes, including agencies, subdivisions, instrumentalities, and certain intertribal consortiums or other organizations that are authorized by Indian tribal governments. The provision repeals the essential government functions test, providing tribal governments with greater access to tax-exempt financing, on par with the States.

Sec. 34104. 21st Century Indian Health Program Hospitals and Outpatient Health Care Facilities. Provides \$5 billion in total funding for fiscal years 2021 through 2025 for the planning, design, construction, modernization, and renovation of hospitals and outpatient health care facilities within the Indian Health Service (IHS). This provision also requires that any awards under this section be for projects that will increase energy efficiency, energy resiliency, or a greater use of renewable energy.

Sec. 1502. Tribal transportation program. [23 USC 202] Under section 1101, the bill significantly increases funding levels for the Tribal Transportation Program (TTP), providing \$800 million per year for the program out of the Highway Trust Fund. Expands eligibility under the Tribal Transportation Bridge Program to allow construction of new 14 bridges. Expands eligibility for safety projects under the TTP to include projects that educate the public and increase awareness concerning highway safety matters and to better enforce highway safety laws in tribal nations.

Sec. 1503. Tribal High Priority Projects program. Provides \$50 million annually out of the Highway Trust Fund for a reestablished grant program that was authorized in MAP-21, but never funded, to award grants to the highest priority project for tribes whose annual transportation funding is insufficient. Provides emergency relief to tribes who cannot access other emergency relief funds and sets a maximum grant award of \$5 million.

Sec. 1505. Federal lands and Tribal major projects program. [23 USC 208] Transforms the Nationally Significant Federal Lands and Tribal Projects Program into the Federal Lands and Tribal Major Projects program, codifies it, and provides an annual authorization of \$400 million from the Highway Trust Fund under Section 1101. Expands project eligibility and eligible uses of funds to allow for preconstruction activities. Lowers the minimum project cost threshold to \$12.5 million for Federal lands projects and \$5 million for tribal projects. Increases Federal cost share to 100 percent for tribal projects and requires program funds to be split 50-50 between tribal and Federal lands projects.

Sec. 1506. Office of Tribal Government Affairs. Establishes an Office of Tribal Government Affairs within U.S. DOT and creates a new Assistant Secretary for Tribal Government Affairs position.

Sec. 60008. Native American Housing Block Grant Program. Authorizes \$1 billion to the Native American Housing Block Grant (NAHBG) program, which provides flexible funds for affordable housing activities to benefit low-income tribal households. At least 10 percent of the funding in this section must be used for green housing investments.

Sec. 60014. Inclusion of Minority and Women Owned Business Enterprises. Requires the relevant agency heads to consult with grantees and recipients to promote the inclusion of minority and women's business enterprises for funds provided for under this act. This includes special outreach to minority and women's business enterprises to inform such businesses of hiring opportunities created through such funds, procurement goals for the utilization of minority and women's business enterprises, and to convene meetings with leaders and officials of State and local governments, tribal entities, and public housing authorities for the purpose of recommending and promoting funding opportunities and initiatives needed to advance the position of minority and women's business enterprises when competing for funds provided for under this Act.

Public Lands Provisions

Sec. 1504. Federal lands transportation program. [23 USC 203] Under section 1101, the bill significantly increases funding levels for the Federal Lands Transportation Program, providing \$550 million per year out of the Highway Trust Fund for the program. The bill also provides an additional \$345 million per year out of the Highway Trust Fund for the Federal Lands Access Program. Allows the head of a Federal agency that owns a transportation facility to request assistance from a State in paying the project costs when a high commuter corridor (defined as a transportation facility administered by a Federal agency that has average annual daily traffic of not less than 20,000 vehicles) within that State is in need of repair. Directs GAO to study the National Park Service maintenance prioritization of Federal lands transportation facilities and specifically their prioritization of maintenance on high commuter corridors.

Sec. 1505. Federal lands and Tribal major projects program. [23 USC 208] Transforms the Nationally Significant Federal Lands and Tribal Projects Program into the Federal Lands and Tribal Major Projects program, codifies it, and provides an annual authorization of \$400 million from the Highway Trust Fund under Section 1101. Expands project eligibility and eligible uses of funds to allow for preconstruction activities. Lowers the minimum project cost threshold to \$12.5 million for Federal lands projects and \$5 million for tribal projects. Increases Federal cost share to 100 percent for tribal projects and requires program funds to be split 50-50 between tribal and Federal lands projects.

Sec. 1507. Alternative contracting methods. [23 USC 201] Allows tribes and Federal land management agencies to use the same alternative contracting methods available to States.

Sec. 1510. GAO study. Directs GAO to study the deferred maintenance backlog on U.S. Forest Service roads.

Sec. 82401. Forest Service Legacy Roads and Trails Remediation Program. Directs the U.S. Forest Service to prioritize storm proofing roads, bridges, and trails for more extreme weather; culvert replacement; fish passageway; trail repair; and decommissioning of unneeded or environmentally hazardous roads.

Sec. 83201—83402. Establishes a National Wildlife Corridors system to provide for the protection and restoration of certain native fish, wildlife, and plant species on Federal lands, and authorizes a voluntary grant program for restoration, maintenance, and preservation of wildlife corridors on State and private lands. It also creates a Tribal wildlife corridors system and authorizes \$5 million per year for that program. This subtitle is similar to H.R. 2795 (Beyer–VA) and includes H.R. 5179 (Gallego–AZ), which were approved by the Committee on Natural Resources on January 29, 2020.

Sec. 84201—84203. Reauthorizes the Abandoned Mine Land program for coal mines, which is expiring at the end of September 2021, for 15 years; increases the minimum amount of money that each state or tribe receives annually from \$3 million to \$5 million; and allows states to spend funds directly for abandoned mine related emergencies and then get reimbursed by the Office of Surface Mining Reclamation and Enforcement. This subtitle is the same as H.R. 4248 (Cartwright–PA) which was approved by the Committee on Natural Resources on January 15, 2020